**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL SIDE JURISDICTION**

**PIL WRIT PETITION NO.141 OF 2006**

Sandeep Desai and anr ..Petitioners

vs

Mumbai Mun Corporation and ors ..Respondents

Mr Rajiv Patil withOnkar Warange and Dushyant Purekar
for petitioners
Mr K.K. Singhvi senior advocate for respondent Nos 1 and 2
Mr. K.R. Belosey Govt Pleader for respondent No 3

**CORAM: SWATANTER KUMAR, C.J., &**
**S.C.DHARMADHIKARI, J.**

**Dated: 7th June 2007**

**P.C.:**

Affidavit in furtherance of the order dated 12.4.2007 as well as rejoinder affidavit have been filed in court today and are taken on record.

It is not disputed before us, and the learned counsel for the Corporation submits, that some part of the garden land is in occupation of certain persons, who are project affected persons and the Corporation has to provide them alternate accommodation, for which the Corporation needs some time. He further states that a wall has been

raised in order to safeguard a small portion of the garden from encroachers and further development. It is further stated on behalf of the Corporation that within four months those persons will also be provided with alternate accommodation. The garden land thereupon shall be joined with the main garden and will be developed as a full fledged garden without any reservation thereafter.

In view of the above statement made on behalf of the Corporation, learned counsel for the petitioners does not press this petition any further. Petition is disposed of as not pressed with clear direction that the respondents shall abide by their statements and comply with the directions. Parties are left to bear their own costs.

**CHIEF JUSTICE**

**S.C.DHARMADHIKARI, J.**